IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.6472 of 2000.
IN
SECOND APPEAL NO. 521 OF 2000.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri S.G.Page for the Applicants.

CORAM : ABHAY S.OKA, J.
DATED : 11th December, 2007.

P.C.:

1. Heard the Advocate for the Applicants. None appears for the Respondent. In view of the admission of the Appeal, decree for removal of encroachment will have to be stayed, subject to certain conditions.

2. Hence there will be interim relief in terms of prayer clause (b) subject to condition that the Applicants will not create any third party interests in respect of the alleged encroached portion shown in the map at Exh.49 and shall not carry on any construction on the said encroached portion.

3. In case the Appellants commit any breach, liberty to the Respondent to apply for vacating the interim relief.

4. There will be no order as to costs.

Judge.